

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PEPPERELL BRAIDING CO.,

Plaintiff,

-v-

TONER PLASTICS, INC., STEVEN GRAHAM,
and WAL-MART STORES, INC.,

Defendants.
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: 08 CIV. 383 (DLC)
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: PRETRIAL
: SCHEDULING ORDER
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| USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>5-14-08</u> |
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DENISE COTE, District Judge:

As set forth at the pretrial conference held pursuant to Rule 16, Fed.R.Civ.P., on May 8, 2008, the following schedule shall govern the further conduct of pretrial proceedings in this case:

1. The parties are instructed to contact the chambers of Magistrate Judge Ellis prior to **May 9, 2008** in order to pursue settlement discussions under his/her supervision.
2. The parties shall comply with their Rule 26(a)(1), Fed.R.Civ.P., initial disclosure obligations by **July 11, 2008**.
3. No additional parties may be joined or pleadings amended after **July 25, 2008**.
4. All fact discovery must be completed by **November 21, 2008**.
5. Identification of experts and disclosure of expert testimony conforming to the requirements of Rule 26(a)(2)(B), Fed.R.Civ.P., by the party bearing the burden of proof on the issue must occur by **December 9, 2008**. Identification of experts and disclosure of expert testimony in rebuttal must occur by **January 23, 2009**.
6. All expert discovery must be completed by **February 13, 2009**.
7. The following motion will be served by the dates indicated below.

Any motion for summary judgment

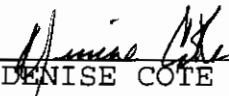
- Motion served by **March 6, 2009**
- Opposition served by **March 27, 2009**
- Reply served by **April 3, 2009**

At the time any Reply is served the moving party shall supply two courtesy copies of all motion papers to Chambers by delivering them to the Courthouse Mailroom, 8th Floor, United States Courthouse, 500 Pearl Street, New York, New York.

8. In the event no motion is filed, the Joint Pretrial Order must be filed by **March 6, 2009**.

As described in greater detail in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Voir Dire, Requests to Charge and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive papers are due one week thereafter. Counsel will provide the Court with two (2) courtesy copies of all pretrial documents at the time of filing.

Dated: New York, New York
May 13, 2008



DENISE COTE
United States District Judge